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Fifty-third session

Third Committee

Agenda item 110 (c)

Human rights questions: human rights situations and reports of special rapporteurs and representatives

Andorra, Australia, Austria, Belgium, Bulgaria, Canada, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Iceland, Ireland, Israel, Italy, Latvia, Liechtenstein, Lithuania, Luxembourg, Marshall Islands, Monaco, Netherlands, Norway, Poland, Portugal, San Marino, Slovakia, Spain, Sweden, United Kingdom of Great Britain and Northern Ireland and United States of America: draft resolution

Situation of human rights in the Islamic Republic of Iran

The General Assembly,

Guided by the Charter of the United Nations, the Universal Declaration of Human Rights,¹ the International Covenants on Human Rights² and other human rights instruments,

Reaffirming that all Member States have an obligation to promote and protect human rights and fundamental freedoms and to fulfil the obligations they have undertaken under the various international instruments in this field,

Mindful that the Islamic Republic of Iran is a party to the International Covenants on Human Rights,

Recalling its previous resolutions on this subject, including the most recent, resolution 52/142 of 12 December 1997, and Commission on Human Rights resolution 1998/80 of 22 April 1998,³

¹ Resolution 217 A (III).

² Resolution 2200 A (XXI), annex.

³ See *Official Records of the Economic and Social Council, 1998, Supplement No. 3 (E/1998/23)*, chap. II, sect. A.



1. *Welcomes* the interim report of the Special Representative of the Commission on Human Rights on the situation of human rights in the Islamic Republic of Iran,⁴ and takes note of the conclusion of the Special Representative that a political will exists to move Iranian society to a more tolerant and more peaceful condition but that, while some sectors are already benefiting from this progress, significant violations of human rights continue to occur;

2. *Welcomes* the commitment made by the Government of the Islamic Republic of Iran to promote respect for the rule of law, including the elimination of arbitrary arrest and detention, and to reform the legal and penitentiary system, including the closure of detention centres outside the national prison system, and to bring it into line with international human rights standards in this field, and calls upon the Government to take all necessary steps in this regard;

3. *Welcomes* the more open debate in the Islamic Republic of Iran on issues of governance and human rights, as well as governmental efforts to make progress in the area of freedom of expression, while remaining concerned at instances of arbitrary closure of publications, widely reported cases of harassment and persecution of persons, including writers and members of the press;

4. *Welcomes* a more positive approach by the Government of the Islamic Republic of Iran with regard to freedom of assembly, as well as the support given to the development of non-governmental organizations, and expresses its hope that freedom for political activities will become more effective;

5. *Takes note with interest* of the increasing focus of the Islamic Human Rights Commission on the human rights situation in the Islamic Republic of Iran, including the examination of individual complaints and training activities, and expresses its hope that the Commission will become a truly independent agency for the promotion and protection of human rights in line with the 1993 Principles Relating to the Status of National Institutions for the Promotion and Protection of Human Rights;⁵

6. *Welcomes* the assurances given by the Government of the Islamic Republic of Iran that it has no intention of taking any action whatsoever to threaten the life of Salman Rushdie and those associated with his work or of encouraging or assisting anyone to do so, and that it disassociates itself from any reward offered in this regard and does not support it, but expresses its concern at continuing threats to the life of Salman Rushdie, including the increase announced in the bounty;

7. *Expresses its concern* at the continuing violations of human rights in the Islamic Republic of Iran, as reported by the Special Representative, in particular executions in the apparent absence of respect for internationally recognized safeguards, the use of national security laws as a basis for derogating from the rights of the individual, cases of torture and cruel, inhuman or degrading treatment or punishment, including sentences of stoning and amputation, as well as the failure to meet international standards in the administration of justice and the absence of due process of law;

8. *Also expresses its concern* at the discrimination against religious minorities and in particular remains gravely concerned at the unabated pattern of persecution against the Baha'is, in particular the execution and sentencing to death and arrests of members of the Baha'i community, and calls upon the Government to implement the recommendations of

⁴ A/53/423.

⁵ Resolution 48/134, annex.

the Special Rapporteur of the Commission on Human Rights on religious intolerance relating to the Baha'is and to other religious minorities, until they are completely emancipated;

9. *Takes note* of statements made by the Government of the Islamic Republic of Iran about the need to review laws and attitudes which discriminate against women, and, remaining concerned at the lack of full and equal enjoyment by women of their human rights, as reported by the Special Representative, calls upon the Government to take substantive and effective measures to eliminate discrimination in law and in practice against women;

10. *Calls upon* the Government of the Islamic Republic of Iran to continue its efforts and to abide by its freely undertaken obligations under the International Covenants on Human Rights and under other international instruments on human rights, and to ensure that all individuals within its territory and subject to its jurisdiction, including persons belonging to religious minorities, enjoy all the rights enshrined in those instruments;

11. *Calls upon* the Government of the Islamic Republic of Iran to ensure that capital punishment will not be imposed for other than the most serious crimes, for apostasy, or otherwise in disregard of the provisions of the International Covenant on Civil and Political Rights² and United Nations safeguards, and to provide the Special Representative with relevant statistics on this matter;

12. *Also calls upon* the Government of the Islamic Republic of Iran to make full use of technical cooperation programmes in the field of human rights, and welcomes in this context the willingness of the Government to introduce international human rights standards into the curricula of universities;

13. *Deplores* the fact that no invitation has yet been extended by the Government of the Islamic Republic of Iran to the Special Representative to visit the country, and calls upon the Government to extend an invitation to him and to resume its full cooperation with the Special Representative in the discharge of his mandate;

14. *Decides* to continue the examination of the situation of human rights in the Islamic Republic of Iran, including the situation of minority groups such as the Baha'is, at its fifty-fourth session under the item entitled "Human rights questions", in the light of additional elements provided by the Commission on Human Rights.



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Agenda item 110 (b)

Human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms

Andorra, Australia, Austria, Canada, Finland, Hungary, Iceland, Ireland, Italy, Japan, Luxembourg, Monaco, Netherlands, New Zealand, Norway, Romania, Spain, Sweden, United Kingdom of Great Britain and Northern Ireland and United States of America: draft resolution

Situation of human rights in Cambodia

The General Assembly,

Guided by the purposes and principles embodied in the Charter of the United Nations, the Universal Declaration of Human Rights¹ and the International Covenants on Human Rights,²

Recalling the Agreement on a Comprehensive Political Settlement of the Cambodia Conflict, signed in Paris on 23 October 1991,³ including part III thereof, relating to human rights,

Taking note of Commission on Human Rights resolution 1998/60 of 17 April 1998,⁴ and recalling General Assembly resolution 52/135 of 26 November 1997 and previous relevant resolutions, including Commission on Human Rights resolution 1993/6 of 19 February 1993,⁵ in which the Commission recommended the appointment of a special representative in Cambodia, and the subsequent appointment by the Secretary-General of a special representative,

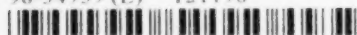
¹ Resolution 217 A (III).

² Resolution 2200 A (XXI), annex.

³ A/46/608-S/23177, annex, see *Official Records of the Security Council, Forty-sixth Year, Supplement for October, November and December 1991*, document S/23177.

⁴ See *Official Records of the Economic and Social Council, 1998, Supplement No. 3 (E/1998/23)*, chap. II, sect. A.

⁵ *Ibid.*, 1993, Supplement No. 3 (E/1993/23), chap. II, sect. A.



Recognizing that the tragic history of Cambodia requires special measures to assure the promotion and protection of the human rights of all people in Cambodia and the non-return to the policies and practices of the past, as stipulated in the Agreement signed in Paris on 23 October 1991,

Desiring that the United Nations respond positively to assist efforts to investigate Cambodia's tragic history, including responsibility for past international crimes, such as acts of genocide and crimes against humanity,

Welcoming the continuing role of the United Nations High Commissioner for Human Rights in the promotion and protection of human rights in Cambodia and her visit to Cambodia in January 1998,

Welcoming the agreement by the Government of Cambodia to extend the mandate of the office in Phnom Penh of the United Nations High Commissioner for Human Rights until March 2000, enabling the office to continue its operations and to maintain its technical cooperation programmes,

1. *Requests* the Secretary-General, through his Special Representative for human rights in Cambodia, in collaboration with the office in Cambodia of the United Nations High Commissioner for Human Rights, to assist the Government of Cambodia in ensuring the protection of the human rights of all people in Cambodia and to ensure adequate resources for the continued functioning in Cambodia of the Office of the High Commissioner and to enable the Special Representative to continue to fulfil his tasks expeditiously;

2. *Welcomes* the report of the Secretary-General on the situation of human rights in Cambodia,⁶ in particular the section concerning the role of the Office of the United Nations High Commissioner for Human Rights in assisting the Government and people of Cambodia in the promotion and protection of human rights, and encourages the Government of Cambodia to continue to cooperate with the Office;

3. *Takes note with appreciation* of the report of the Special Representative on the situation of human rights in Cambodia,⁷ and notes in particular his concerns about political violence, the problem of impunity, the independence of the judiciary and the establishment of the rule of law, the use of torture, the administration of prisons and the ill-treatment of prisoners, child labour, child prostitution and trafficking, workers' rights and the freedom to form independent trade unions, media freedom and the situation of women, including violence against women, and minorities;

4. *Welcomes* the holding of national elections by the Government of Cambodia on 26 July 1998 and its efforts to ensure the safety of national and international observers of the elections, and, noting that the elections demonstrated the clear desire of the Cambodian people for democracy, stresses the need for the constructive engagement of all parties in order to fulfil the objective of the elections, the formation of an elected, constitutional Government;

5. *Also welcomes* the role of the United Nations in monitoring the return and full resumption of political activities by political leaders in the period leading up to, during and immediately after the elections;

6. *Further welcomes* the role of national non-governmental organizations in educating voters and providing observers at polling stations, and of international observers during the recent elections;

⁶ A/53/400.

⁷ E/CN.4/1998/95.

7. *Encourages* the Government of Cambodia to continue to work with non-governmental organizations in efforts to strengthen and uphold human rights in Cambodia, in recognition of the vital and valuable role played by non-governmental organizations in the development of civil society in Cambodia;

8. *Notes* the formation of a provisional Cambodian human rights committee, and encourages the Government of Cambodia, in setting up a new Cambodian human rights commission, to take into account international standards, notably those on independence, and to request the Office of the United Nations High Commissioner for Human Rights to provide advice and technical assistance to this end;

9. *Expresses grave concern* about numerous instances of violations of human rights, including extrajudicial executions, torture, illegal arrest and detention, and violence in relation to political activities, as detailed in the reports of the Special Representative, including those of March 1997 and July 1997 and during the recent election campaign and its immediate aftermath, and calls upon the Government of Cambodia to investigate urgently and prosecute, in accordance with due process of the law and international standards relating to human rights, all those who have perpetrated human rights violations;

10. *Also expresses grave concern* at the situation of impunity in Cambodia and stresses that addressing the continuing problem of impunity, as detailed by the Special Representative, including the repeal of article 51 of the 1994 Law on Civil Servants and bringing to justice those responsible for human rights violations, together with ensuring security of persons and rights of association, assembly and expression, remains a matter of critical and urgent priority;

11. *Welcomes* the convening for the first time of the Supreme Council of the Magistracy in December 1997, as well as the adoption of the law on the Constitutional Council in March 1998, and looks forward to the active implementation of their constitutional mandates;

12. *Condemns* the use of racist rhetoric and acts of violence against ethnic minorities, especially Cambodians of Vietnamese ethnicity, detailed in the report of the Special Representative, and urges all political parties in Cambodia to abstain from statements or activities that could be interpreted as incitement against ethnic minorities;

13. *Notes with serious concern* the Special Representative's comments about the judicial system and the prison administration, strongly urges the Government of Cambodia to continue its efforts to create a functioning and impartial system of justice and to implement the Prison Regulations signed in March 1998, and welcomes the cooperation of the Government of Cambodia with international efforts to improve the judicial system;

14. *Stresses* the need for the Government of Cambodia to improve the implementation of the freedoms laid down in the Cambodian Constitution with regard to the operation of a free electronic and print media and the security of persons and rights of association, assembly and expression, in accordance with the provisions of the Constitution and in view of the critical role they play in the effective functioning of a multi-party democracy;

15. *Endorses* the comments of the Special Representative that the most serious human rights violations in Cambodia in recent history have been committed by the Khmer Rouge, and notes with concern that no Khmer Rouge leaders have been brought to account for their crimes;

16. *Welcomes* the appointment by the Secretary-General, in response to the request by the Cambodian authorities for assistance in responding to past serious violations of

Cambodian and international law by the Khmer Rouge, of a group of experts to evaluate the existing evidence and propose further measures as a means of bringing about national reconciliation, strengthening democracy and addressing the issue of individual accountability;

17. *Commends* the efforts of the Government of Cambodia, together with non-governmental organizations and United Nations bodies, including the United Nations Children's Fund, the United Nations Development Programme, the United Nations Population Fund and the United Nations Educational, Scientific and Cultural Organization, to improve the quality of and access to education;

18. *Notes with serious concern* the prevalence of child labour in Cambodia and calls on the Government of Cambodia to ensure adequate health and safety conditions and access to education for working children and to outlaw the worst forms of child labour;

19. *Welcomes* the development by the Government of Cambodia, working with the office in Cambodia of the United Nations High Commissioner for Human Rights, the United Nations Children's Fund and non-governmental organizations, of an action plan to combat child prostitution and trafficking, encourages the National Assembly to approve the plan as a matter of priority and urges the Government of Cambodia to take concrete action to ensure its speedy and effective implementation;

20. *Urges* the Government of Cambodia to take all appropriate measures to eliminate discrimination against women, including in the political and public life of the country, to combat violence against women in all its forms, and to take all steps to meet its obligations as a party to the Convention on the Elimination of all Forms of Discrimination against Women,⁸ including by seeking technical assistance;

21. *Notes with appreciation* the use by the Secretary-General of the United Nations Trust Fund for a Human Rights Education Programme in Cambodia to finance the programme of activities of the office in Cambodia of the United Nations High Commissioner for Human Rights, as defined in resolutions of the General Assembly and the Commission on Human Rights, and invites Governments, intergovernmental and non-governmental organizations, foundations and individuals to consider contributing funds to the Trust Fund;

22. *Expresses grave concern* at the devastating consequences and destabilizing effects of the use of anti-personnel landmines on Cambodian society, encourages the Government of Cambodia to continue its support and efforts for the removal of these mines, including the work of the Cambodian Mine Action Centre, commends donor countries for their contributions and assistance to the Centre, and urges the Government of Cambodia to give priority to banning all anti-personnel landmines;

23. *Requests* the Secretary-General to report to the General Assembly at its fifty-fourth session on the role of the Office of the United Nations High Commissioner for Human Rights in assisting the Government and the people of Cambodia in the promotion and protection of human rights and on the recommendations made by the Special Representative on matters within his mandate;

24. *Decides* to continue its consideration of the situation of human rights in Cambodia at its fifty-fourth session.

⁸ Resolution 34/180, annex.



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Human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms

Antigua and Barbuda, Argentina, Azerbaijan, Bangladesh, Barbados, Bolivia, Brazil, Chile, Colombia, Costa Rica, Côte d'Ivoire, Cuba, Dominican Republic, Ecuador, El Salvador, Fiji, France, Greece, Guatemala, Guyana, Haiti, India, Israel, Madagascar, Mexico, Monaco, Mongolia, Morocco, Niger, Panama, Paraguay, Peru, Philippines, San Marino, Spain, Suriname, The former Yugoslav Republic of Macedonia, Trinidad and Tobago, Turkey, Uruguay and Venezuela:
draft resolution

Human rights and extreme poverty

The General Assembly,

Reaffirming the Universal Declaration of Human Rights,¹ the International Covenant on Civil and Political Rights,² the International Covenant on Economic, Social and Cultural Rights,³ and other human rights instruments adopted by the United Nations,

Considering the relevant provisions of the Vienna Declaration and Programme of Action, adopted by the World Conference on Human Rights on 25 June 1993,⁴ and of the Copenhagen Declaration on Social Development and Programme of Action of the World Summit for Social Development, adopted by the World Summit on 12 March 1995,⁵

¹ Resolution 217 A (III).

² See resolution 2200 A (XXI), annex.

³ Ibid.

⁴ A/CONF.157/24 (Part I), chap. III.

⁵ *Report of the World Summit for Social Development, Copenhagen, 6-12 March 1995* (United Nations publication, Sales No. E.96.IV.8), chap. I, resolution 1, annexes I and II.



Recalling its resolutions 47/196 of 22 December 1992, by which it declared 17 October International Day for the Eradication of Poverty, 48/183 of 21 December 1993, by which it proclaimed 1996 International Year for the Eradication of Poverty, 50/107 of 20 December 1995, by which it proclaimed the first United Nations Decade for the Eradication of Poverty (1997–2006), 51/97 of 12 December 1996 on human rights and extreme poverty and 52/193 of 18 December 1997, in which it emphasized the follow-up of the Decade,

Recalling also its resolution 52/134 of 12 December 1997, in which it recognized that the enhancement of international cooperation in the field of human rights was essential for the understanding, promotion and protection of all human rights,

Bearing in mind Commission on Human Rights resolutions 1992/11 of 21 February 1992,⁶ 1993/13 of 26 February 1993,⁷ 1994/12 of 25 February 1994,⁸ 1995/16 of 24 February 1995,⁹ 1996/10 of 11 April 1996,¹⁰ resolution 1997/11 of 3 April 1997¹¹ and resolution 1998/25 of 17 April 1998,¹² as well as resolution 1996/23 of 29 August 1996 of the Subcommission on Prevention of Discrimination and Protection of Minorities,¹³

Recalling its resolution 47/134 of 18 December 1992, in which it reaffirmed that extreme poverty and exclusion from society constituted a violation of human dignity and stressed the need for a complete and in-depth study of extreme poverty, based on the experience and the thoughts of the poorest,

Recognizing that eradication of extreme poverty is a major challenge within the process of globalization and requires coordinated and continued policies,

Recognizing also that, as the existence of widespread extreme poverty inhibits the full and effective enjoyment of human rights, and might, in some situations, constitute a threat to the right to life, its immediate alleviation and eventual elimination must remain a high priority for the international community,

Welcoming the appointment, for a period of two years, of an independent expert on the question of human rights and extreme poverty, whose mandate includes, in particular, a contribution to the evaluation in the year 2000 of the World Summit for Social Development, and whose work should continue taking into account the efforts of the poorest themselves and the conditions in which they can convey their experiences,

1. *Reaffirms* that extreme poverty and exclusion from society constitute a violation of human dignity and that urgent national and international action is therefore required to eliminate them;

2. *Also reaffirms* that, in accordance with the Vienna Declaration and Programme of Action,⁴ it is essential for States to foster participation by the poorest people in the decision-making process in the communities in which they live, in the promotion of human rights and in efforts to combat extreme poverty;

⁶ See *Official Records of the Economic and Social Council, 1992, Supplement No. 2 (E/1992/22)*, chap. II, sect. A.

⁷ *Ibid.*, 1993, *Supplement No. 3 (E/1993/23)*, chap. II, sect. A.

⁸ *Ibid.*, 1994, *Supplement No. 4* and corrigendum (E/1994/24 and Corr.1), chap. II, sect. A.

⁹ *Ibid.*, 1995, *Supplement No. 3* and corrigenda (E/1995/23 and Corr.1 and 2), chap. II, sect. A.

¹⁰ *Ibid.*, 1996, *Supplement No. 3 (E/1996/23)*, chap. II, sect. A.

¹¹ *Ibid.*, 1997, *Supplement No. 3 (E/1997/23)*, chap. II, sect. A.

¹² *Ibid.*, 1998, *Supplement No. 3 (E/1998/23)*, chap. II, sect. A.

¹³ See E/CN.4/1997/2–E/CN.4/Sub.2/1996/41, chap. II, sect. A.

3. *Recognizes* that surmounting extreme poverty constitutes an essential means to the full enjoyment of political, civil, economic, social and cultural rights and reaffirms the interrelationship among these goals;

4. *Emphasizes* that extreme poverty is a major issue to be addressed by Governments, civil society and the United Nations system, including international financial institutions;

5. *Invites* the United Nations High Commissioner for Human Rights, within the framework of the implementation of the United Nations Decade for the Eradication of Poverty, to continue to give appropriate attention to the question of human rights and extreme poverty;

6. *Notes with appreciation* the specific action taken by the United Nations Children's Fund to mitigate the effects of extreme poverty on children and the efforts of the United Nations Development Programme to give priority to the search for some means of alleviating poverty within the framework of the relevant resolutions, and urges them to continue in this work;

7. *Invites* States, United Nations bodies, in particular the Office of the United Nations High Commissioner for Human Rights and the United Nations Development Programme, intergovernmental organizations and non-governmental organizations to give appropriate attention to the links between human rights and extreme poverty;

8. *Decides* to consider this question further at its fifty-fifth session under the sub-item entitled "Human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms".



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Extrajudicial, summary or arbitrary executions

The General Assembly,

Recalling the Universal Declaration of Human Rights,¹ which guarantees the right to life, liberty and security of person, and the relevant provisions of the International Covenant on Civil and Political Rights,²

Recalling its resolutions 47/136 of 18 December 1992 and 51/92 of 12 December 1996, as well as Commission on Human Rights resolutions 1992/72 of 5 March 1992³ and 1998/68 of 21 April 1998,⁴

Recalling Economic and Social Council resolution 1984/50 of 25 May 1984 and the Safeguards guaranteeing protection of the rights of those facing the death penalty annexed

¹ Resolution 217 A (III).

² Resolution 2200 A (XXI), annex.

³ *Official Records of the Economic and Social Council, 1992, Supplement No. 2 (E/1992/22), chap. II, sect. A.*

⁴ *Ibid.*, 1998, Supplement No. 3 (E/1998/23), chap. II, sect. A.



thereto and Council resolution 1989/64 of 24 May 1989 on their implementation, as well as the Declaration of Basic Principles of Justice for Victims of Crime and Abuse of Power, adopted by the General Assembly in its resolution 40/34 of 29 November 1985,

Deeply alarmed at the persistence, on a large scale, of extrajudicial, summary or arbitrary executions in all parts of the world,

Dismayed that in a number of countries impunity, the negation of justice, continues to prevail and often remains the main cause of the continuing occurrence of extrajudicial, summary or arbitrary executions in those countries,

Recalling, in this fiftieth anniversary of the Convention on the Prevention and Punishment of the Crime of Genocide,⁵ article 6 of the Convention, and expressing on this occasion satisfaction that an important step in the fight against impunity has been taken in the conclusion of the United Nations Diplomatic Conference of Plenipotentiaries on the Establishment of an International Criminal Court, while also acknowledging the work of the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991 and the International Criminal Tribunal for the Prosecution of Persons Responsible for Genocide and Other Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Genocide and Other Such Violations Committed in the Territory of Neighbouring States between 1 January and 31 December 1994,

Acknowledging the contribution of the United Nations Diplomatic Conference of Plenipotentiaries on the Establishment of an International Criminal Court with regard to ensuring effective prosecution concerning executions of non-combatants, carried out in cases of armed conflict not of an international character, in serious violation of article 3 common to the four Geneva Conventions of 12 August 1949, without previous judgement pronounced by a regularly constituted court affording all judicial guarantees that are generally recognized indispensable,

Convinced of the need for effective action to combat and to eliminate the abhorrent practice of extrajudicial, summary or arbitrary executions, which represent a flagrant violation of the fundamental right to life,

1. *Strongly condemns once again* all the extrajudicial, summary or arbitrary executions that continue to take place throughout the world;
2. *Demands* that all Governments ensure that the practice of extrajudicial, summary or arbitrary executions be brought to an end and that they take effective action to combat and eliminate the phenomenon in all its forms;
3. *Reiterates* the obligation of all Governments to conduct exhaustive and impartial investigations into all suspected cases of extrajudicial, arbitrary or summary executions, to identify and bring to justice those responsible, to grant adequate compensation to the victims or their families and to adopt all necessary measures to prevent the recurrence of such executions;
4. *Notes* the encouragement to the Special Rapporteur of the Commission on Human Rights to continue, within the framework of her mandate, to collect information from all concerned and to seek the views and comments of Governments so as to be able to respond effectively to reliable information that comes before her and to follow up communications and country visits;

⁵ Resolution 260 A (III).

5. *Reaffirms* Economic and Social Council decision 1998/265 of 30 July 1998, in which the Council endorsed the decision of the Commission on Human Rights, in its resolution 1998/68, to extend the mandate of the Special Rapporteur on extrajudicial, summary or arbitrary executions for three years;

6. *Takes note* of the statement made by the Special Rapporteur on extrajudicial, summary or arbitrary executions before the General Assembly on 4 November 1998;⁶

7. *Notes* the important role the Special Rapporteur has played towards the elimination of extrajudicial, arbitrary or summary executions;

8. *Recalls* that the Commission on Human Rights, in its resolution 1998/68, requested the Special Rapporteur, in carrying out her mandate:

(a) To continue to examine situations of extrajudicial, summary or arbitrary executions and to submit her findings on an annual basis, together with conclusions and recommendations, to the Commission on Human Rights, as well as such other reports as the Special Rapporteur deems necessary to keep the Commission informed about serious situations of extrajudicial, summary or arbitrary executions that warrant its immediate attention;

(b) To respond effectively to information that comes before her, in particular when an extrajudicial, summary or arbitrary execution is imminent or threatened or when such an execution has occurred;

(c) To enhance further her dialogue with Governments, as well as to follow up recommendations made in reports after visits to particular countries;

(d) To continue to pay special attention to extrajudicial, summary or arbitrary executions of children and women and to allegations concerning violations of the right to life in the context of violence against participants in demonstrations and other peaceful public manifestations or against persons belonging to minorities;

(e) To pay special attention to extrajudicial, summary or arbitrary executions where the victims are individuals carrying out peaceful activities in the defence of human rights and fundamental freedoms;

(f) To continue monitoring the implementation of existing international standards on safeguards and restrictions relating to the imposition of capital punishment, bearing in mind the comments made by the Human Rights Committee in its interpretation of article 6 of the International Covenant on Civil and Political Rights, as well as the Second Optional Protocol thereto;

(g) To apply a gender perspective in her work;

9. *Strongly urges* all Governments to respond to the communications transmitted to them by the Special Rapporteur, and urges them and all others concerned to cooperate with and assist the Special Rapporteur so that she may carry out her mandate effectively, including, where appropriate, by issuing invitations to the Special Rapporteur when she so requests;

10. *Encourages* Governments, international organizations and non-governmental organizations to organize training programmes and to support projects with a view to training or educating military forces, law enforcement officers and government officials, as well as members of United Nations peacekeeping or observer missions, in human rights and

⁶ See A/C.3/53/SR.34.

humanitarian law issues connected with their work, and appeals to the international community to support endeavours to that end;

11. *Urges* the Special Rapporteur to continue to draw to the attention of the United Nations High Commissioner for Human Rights such situations of extrajudicial, summary and arbitrary executions as are of particularly serious concern to her or where early action might prevent further deterioration;

12. *Welcomes* the cooperation established between the Special Rapporteur and other United Nations mechanisms and procedures relating to human rights, as well as with medical and forensic experts, and encourages the Special Rapporteur to continue efforts in this regard;

13. *Calls upon* the Governments of all States in which the death penalty has not been abolished to comply with their obligations under relevant provisions of international human rights instruments, keeping in mind the safeguards and guarantees referred to in Economic and Social Council resolutions 1984/50 and 1989/64;

14. *Again requests* the Secretary-General to continue to use his best endeavours in cases where the minimum standard of legal safeguards provided for in articles 6, 9, 14 and 15 of the International Covenant on Civil and Political Rights appears not to have been respected;

15. *Requests* the Secretary-General to provide the Special Rapporteur with an adequate and stable level of human, financial and material resources, to enable her to carry out her mandate effectively, including through country visits;

16. *Also requests* the Secretary-General to continue, in close collaboration with the United Nations High Commissioner for Human Rights, in conformity with the High Commissioner's mandate established by the General Assembly in its resolution 48/141 of 20 December 1993, to ensure that personnel specialized in human rights and humanitarian law issues form part of United Nations missions, where appropriate, in order to deal with serious violations of human rights, such as extrajudicial, summary or arbitrary executions;

17. *Requests* the Special Rapporteur to submit an interim report to the General Assembly at its fifty-fifth session on the situation worldwide in regard to extrajudicial, summary or arbitrary executions and her recommendations for more effective action to combat that phenomenon.



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Argentina, Armenia, Australia, Austria, Belarus, Benin, Brazil, Bulgaria, Burkina Faso, Canada, Chile, Costa Rica, Côte d'Ivoire, Croatia, Ecuador, Ethiopia, Finland, France, Germany, Greece, Guatemala, Hungary, Ireland, Israel, Italy, Japan, Lithuania, Madagascar, Malta, Monaco, New Zealand, Poland, Portugal, Romania, Slovenia, South Africa, Togo, Ukraine, United States of America and Venezuela: draft resolution

Regional arrangements for the promotion and protection of human rights

The General Assembly,

Recalling its resolution 32/127 of 16 December 1977 and all its subsequent resolutions concerning regional arrangements for the promotion and protection of human rights,

Recalling also Commission on Human Rights resolution 1993/51 of 9 March 1993¹ and its subsequent resolutions,

Bearing in mind the relevant resolutions of the Commission on Human Rights concerning advisory services and technical cooperation in the field of human rights, including its most recent resolution on that subject, 1998/57 of 17 April 1998,¹

Bearing in mind also the Vienna Declaration and Programme of Action, adopted by the World Conference on Human Rights on 25 June 1993,² reiterating the need to consider the possibility of establishing regional and subregional arrangements for the promotion and protection of human rights where they do not already exist,

¹ See *Official Records of the Economic and Social Council, 1993, Supplement No. 3 (E/1993/23)*, chap. II, sect. A.

² A/CONF.157/24 (Part I), chap. III.



Recalling that the World Conference on Human Rights recommended that more resources should be made available for the strengthening of regional arrangements for the promotion and protection of human rights under the programme of technical cooperation in the field of human rights of the Office of the United Nations Commissioner for Human Rights,

Reaffirming that regional arrangements play a fundamental role in promoting and protecting human rights and should reinforce universal human rights standards, as contained in international human rights instruments, and their protection,

Noting the progress achieved so far in the promotion and protection of human rights at the regional level under the auspices of the United Nations, the specialized agencies and the regional intergovernmental organizations,

Noting further the expansion, since 1993, of the technical cooperation programme of the United Nations High Commissioner for Human Rights, extended upon the request of the concerned Member States, and the crucial importance of sharing information and experiences and developing and strengthening national capacities for the promotion and protection of human rights,

Also noting that national institutions can make an important contribution to the ongoing process of developing regional human rights arrangements, including in areas such as human rights education, mutual cooperation and information sharing,

1. *Takes note with satisfaction* of the report of the Secretary-General;³
2. *Welcomes* the continuing cooperation and assistance of the Office of the High Commissioner for Human Rights in the further strengthening of the existing regional arrangements and regional machinery for the promotion and protection of human rights, in particular through technical cooperation which is aimed at national capacity-building, public information and education, with a view to exchanging information and experience in the field of human rights;
3. *Welcomes also*, in that respect, the close cooperation of the Office of the High Commissioner for Human Rights in the organization of regional and subregional training courses and workshops in the field of human rights, high-level government expert meetings and regional conferences of national human rights institutions, aimed at creating greater understanding of the promotion and protection of human rights issues in the regions, improving procedures and examining the various systems for the promotion and protection of universally accepted human rights standards and at identifying obstacles to ratification of the principal international human rights treaties and strategies to overcome them;
4. *Stresses* the importance of the programme of technical cooperation in the field of human rights, renews its appeal to all Governments to consider making use of the possibilities offered by the United Nations, under this programme, of organizing information or training courses at the national level for government personnel on the application of international human rights standards and the experience of relevant international bodies, and notes with satisfaction, in that respect, the establishment of technical cooperation projects with Governments of all regions;
5. *Invites* all Governments to continue to support the activities of the United Nations High Commissioner for Human Rights in the field of technical cooperation, with a view to further strengthening regional cooperation and regional arrangements for the promotion and protection of human rights;

³ A/53/324.

6. *Reiterates* the recommendation of the World Conference on Human Rights that human rights officers be assigned if and when necessary to regional offices of the United Nations for the purpose of disseminating information and offering training and other technical assistance in the field of human rights upon the request of the concerned Member States and, in this regard, calls upon the Office of the United Nations High Commissioner for Human Rights to also disseminate information regarding regional arrangements which exist in different parts of the world;

7. *Requests* the Secretary-General, as foreseen in programme 19, Human rights, of the medium-term plan for the period 1998-2001, to continue to strengthen exchanges between the United Nations and regional intergovernmental organizations dealing with human rights;

8. *Welcomes* the growing exchanges between the Office of the United Nations High Commissioner for Human Rights and regional intergovernmental organizations, as well as the growing exchanges between the bodies created by the United Nations in accordance with the treaties dealing with human rights and relevant regional organizations and bodies such as the Council of Europe and the African Commission on Human and People's Rights;

9. *Welcomes* the recent adoption by the Assembly of Heads of State and Government of the Organization of African Unity of the Protocol to the African Charter on Human and People's Rights on the establishment of an African Court on Human and People's Rights;

10. *Invites* States in areas where regional arrangements in the field of human rights do not yet exist to consider concluding agreements with a view to the establishment within their respective regions of suitable regional machinery for the promotion and protection of human rights and recognizes in this context that, as stated during the sixth Workshop on Regional Arrangements for the Promotion and Protection of Human Rights in the Asian and Pacific Region, held in Teheran from 28 February to 2 March 1998,⁴ is an important forum for the discussion of initiatives for regional cooperation;

11. *Requests* the Commission on Human Rights to continue to pay special attention to the most appropriate ways of assisting, at their request, countries of the different regions under the programme of technical cooperation and to make, where necessary, relevant recommendations;

12. *Requests* the Secretary-General to submit to the General Assembly at its fifty-fifth session a report on the state of regional arrangements for the promotion and protection of human rights and to include therein the results of action taken in pursuance of the present resolution;

13. *Decides* to consider this question further at its fifty-fifth session.

⁴ E/CN.4/1998/50.



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Fifty-third session

Third Committee

Agenda item 110 (c)

Human rights: human rights situations and reports of special rapporteurs and representatives

Andorra, Antigua and Barbuda, Argentina, Austria, Bahamas, Barbados, Bolivia, Canada, Chile, Colombia, Costa Rica, Cuba, Ecuador, El Salvador, Finland, France, Germany, Greece, Guatemala, Guyana, Haiti, Ireland, Italy, Japan, Luxembourg, Mexico, Monaco, Netherlands, Norway, Panama, Paraguay, Peru, Portugal, Spain, Sweden, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay and Venezuela: draft resolution

Human rights in Haiti

The General Assembly,

Guided by the principles embodied in the Charter of the United Nations, the Universal Declaration of Human Rights¹ and the International Covenants on Human Rights,²

Recalling its resolution 52/138 of 12 December 1997, and taking note of Commission on Human Rights resolution 1998/58 of 17 April 1998,³

Recognizing the interdependence and mutual reinforcement between democracy, development and respect for human rights and fundamental freedoms and the commitment of the international community to supporting, strengthening and promoting this principle,

Taking note of the report of the independent expert of the Commission on Human Rights on the situation of human rights in Haiti, Mr. Adama Dieng⁴ who was appointed to assist the Government of Haiti to consider the development of the human rights situation in Haiti and to verify its compliance with its obligations in that field, and the recommendations contained therein,

¹ Resolution 217 A (III).

² Resolution 2200 A (XXI), annex.

³ See *Official Records of the Economic and Social Council, 1998, Supplement No. 3 (E/1998/23)*.

⁴ A/53/355.



Taking into account the report of the Secretary-General on the implementation of the programme of technical cooperation aimed at strengthening the institutional capacity of Haiti in the field of human rights,⁵

Recognizing the important contributions of the International Civilian Mission to Haiti, the United Nations Civilian Police Mission in Haiti and the National Commission for Truth and Justice, to the task of restoring and strengthening democracy in Haiti and of establishing a climate of freedom and tolerance conducive to respect for human rights in that country,

Noting with satisfaction that, in its resolution 52/174 of 18 December 1997, the General Assembly renewed the mandate of the United Nations component of the International Civilian Mission of the Organization of American States and the United Nations in Haiti,

Welcoming the technical assistance for the institutional development of the Haitian National Police given by the United Nations Development Programme and other members of the international community,

Noting that, despite the efforts of the Government to improve the human rights situation in Haiti, in respect of which some progress has been reported, serious problems related mainly to the system for the administration of justice still persist,

Noting with concern that the prolonged absence of a Prime Minister has had adverse consequences for the human rights situation, as stated in the report of the independent expert,

Reiterating the hope that the Haitian people will, at the earliest possible date, be able to express their wishes fully through free, honest and transparent elections,

Welcoming the decision of the Special Rapporteur of the Commission on Human Rights on violence against women to travel to Haiti on mission in November 1998,

1. *Expresses its thanks* to the Secretary-General, to his Special Representative for Haiti and to the independent expert of the Commission on Human Rights on the situation of human rights in Haiti for their continuing efforts in favour of the consolidation of democratic institutions in Haiti and the respect for human rights in that country;

2. *Welcomes* the decision of the Government of Haiti to distribute throughout the country, with the support of the International Civilian Mission in Haiti, the report of the National Commission for Truth and Justice of February 1996 and to initiate legal action in serious cases;

3. *Encourages* the Government of Haiti to continue its work on the reform of the judicial system, underlining the priority which that system has in the framework of the bilateral and multilateral assistance provided by the international community, including the United Nations Development Programme and, in this connection, calls upon all sectors of Haitian society concerned to adopt coordinated measures with a view to the enhancement of the system for the administration of justice, which is essential in order to ensure the respect for human rights;

4. *Calls upon* the Haitian authorities to mobilize the political will for the pursuit of reform and for the strengthening of the judicial system and the improvement of the country's prisons;

5. *Expresses its deep concern* at the prolonged political statement which presents considerable risks for democracy, economic and social development and respect for human

⁵ A/52/515.

rights, and in this regard urges the authorities and political leaders to continue their efforts to resolve the crisis so that the appointment of a Prime Minister may be ratified by the Parliament without further delay;

6. *Notes with satisfaction* the putting into operation by the Government of Haiti of the Office of Citizen Protection and invites the United Nations High Commissioner for Human Rights to contribute to its strengthening, through a programme of technical cooperation so that it may develop into a national institution for the promotion of human rights, widely open to participation by civil society;

7. *Invites* the international community, including the Bretton Woods institutions, to continue their involvement in the reconstruction and development of Haiti, having regard for the fragility of the political, social and economic situation of the country;

8. *Encourages* the Government of Haiti to ratify the International Covenant on Economic, Social and Cultural Rights,⁶ the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment⁶ and the Optional Protocols to the International Covenant on Civil and Political Rights;⁷

9. *Decides* to continue its consideration of the situation of human rights and fundamental freedoms in Haiti at its fifty-fourth session.

⁶ Resolution 39/46, annex.

⁷ See resolutions 2200 A (XXI), annex, and 44/128, annex.



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Agenda item 110 (b)

Human rights questions, including alternative approaches for improving effective enjoyment of human rights and fundamental freedoms

Algeria, Bangladesh, Benin, Botswana, Burundi, China, Colombia, Cuba, Democratic People's Republic of Korea, Democratic Republic of the Congo, Dominican Republic, Egypt, El Salvador, Indonesia, Iran (Islamic Republic of), Iraq, Lao People's Democratic Republic, Libyan Arab Jamahiriya, Malaysia, Mali, Mexico, Mozambique, Myanmar, Namibia, Nigeria, Peru, Rwanda, Syrian Arab Republic, Togo, United Republic of Tanzania, Viet Nam, Yemen, Zambia and Zimbabwe:
draft resolution

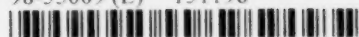
Strengthening of United Nations actions in the human rights field through the promotion of international cooperation and the importance of non-selectivity, impartiality and objectivity

The General Assembly,

Bearing in mind that among the purposes of the United Nations are those of developing friendly relations among nations based on respect for the principle of equal rights and self-determination of peoples and taking other appropriate measures to strengthen universal peace, as well as achieving international cooperation in solving international problems of an economic, social, cultural or humanitarian character and in promoting and encouraging respect for human rights and fundamental freedoms for all without distinction as to race, sex, language or religion,

Desirous of achieving further progress in international cooperation in promoting and encouraging respect for human rights and fundamental freedoms,

Considering that such international cooperation should be based on the principles embodied in international law, especially the Charter of the United Nations, as well as the



Universal Declaration of Human Rights,¹ the international Covenants on Human Rights² and other relevant instruments.

Deeply convinced that United Nations action in this field should be based not only on a profound understanding of the broad range of problems existing in all societies but also on full respect for the political, economic and social realities of each of them, in strict compliance with the purposes and principles of the Charter and for the basic purpose of promoting and encouraging respect for human rights and fundamental freedoms through international cooperation,

Recalling its previous resolutions in this regard,

Reaffirming the importance of ensuring the universality, objectivity and non-selectivity of the consideration of human rights issues, as affirmed in the Vienna Declaration and Programme of Action, adopted by the World Conference on Human Rights on 25 June 1993,³

Affirming the importance of the objectivity, independence and discretion of the special rapporteurs and representatives on thematic issues and countries, as well as of the members of the working groups, in carrying out their mandates,

Underlining the obligation that Governments have to promote and protect human rights and to carry out the responsibilities that they have undertaken under international law, especially the Charter of the United Nations, as well as various international instruments in the field of human rights,

1. *Reiterates* that, by virtue of the principle of equal rights and self-determination of peoples enshrined in the Charter of the United Nations, all peoples have the right freely to determine, without external interference, their political status and to pursue their economic, social and cultural development, and that every State has the duty to respect that right within the provisions of the Charter, including respect for territorial integrity;

2. *Reaffirms* that it is a purpose of the United Nations and the task of all Member States, in cooperation with the Organization, to promote and encourage respect for human rights and fundamental freedoms and to remain vigilant with regard to violations of human rights wherever they occur;

3. *Calls upon* all Member States to base their activities for the protection and promotion of human rights, including the development of further international cooperation in this field, on the Charter of the United Nations, the Universal Declaration of Human Rights,¹ the International Covenant on Economic, Social and Cultural Rights,² the International Covenant on Civil and Political Rights,² and other relevant international instruments, and to refrain from activities that are inconsistent with that international framework;

4. *Considers* that international cooperation in this field should make an effective and practical contribution to the urgent task of preventing mass and flagrant violations of human rights and fundamental freedoms for all and to the strengthening of international peace and security;

5. *Reaffirms* that the promotion, protection, and full realization of all human rights and fundamental freedoms, as legitimate concern of the world community, should be guided by the principles of non-selectivity, impartiality and objectivity, and should not be used for political ends;

¹ Resolution 217 A (III).

² Resolution 2200 A (XXI), annex.

³ A/CONF.157/24 (Part I), chap. III.

6. *Requests* all human rights bodies within the United Nations system, as well as the special rapporteurs and representatives, independent experts and working groups, to take duly into account the contents of the present resolution in carrying out their mandates;

7. *Expresses its conviction* that an unbiased and fair approach to human rights issues contributes to the promotion of international cooperation as well as to the effective promotion, protection and realization of human rights and fundamental freedoms;

8. *Stresses*, in this context, the continuing need for impartial and objective information on the political, economic and social situations and events of all countries;

9. *Invites* Member States to consider adopting, as appropriate, within the framework of their respective legal systems and in accordance with their obligations under international law, especially the Charter of the United Nations, and international human rights instruments, the measures that they may deem appropriate to achieve further progress in international cooperation in promoting and encouraging respect for human rights and fundamental freedoms;

10. *Requests* the Commission on Human Rights to take duly into account the present resolution and to consider further proposals for the strengthening of United Nations action in the human rights field through the promotion of international cooperation and the importance of non-selectivity, impartiality and objectivity;

11. *Requests* the Secretary-General to consult Member States, intergovernmental organizations and non-governmental organizations on ways and means for the strengthening of United Nations action in the human rights field, including the promotion of international cooperation and the importance of non-selectivity, impartiality and objectivity, and to present a comprehensive report on this issue to the General Assembly at its fifty-fourth session;

12. *Decides* to consider this matter at its fifty-fourth session under the item entitled "Human rights questions".



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Agenda item 110 (e)

Report of the United Nations High Commissioner for Human Rights

Antigua and Barbuda, Australia, Austria, Bangladesh, Barbados, Botswana, Canada, Chile, Colombia, Costa Rica, Côte d'Ivoire, Ecuador, El Salvador, Finland, Guatemala, Guyana, Hungary, Ireland, Israel, Japan, Lesotho, Liberia, Monaco, Namibia, New Zealand, Norway, Panama, Paraguay, Peru, South Africa, Spain, Suriname, the former Yugoslav Republic of Macedonia, Republic of Korea and Turkey: draft resolution

Question of resources for the Office of the United Nations High Commissioner for Human Rights and the human rights activities of the United Nations

The General Assembly,

Recalling Commission on Human Rights resolution 1998/83 of 24 April 1998 on the question of resources for the Office of the United Nations High Commissioner for Human Rights and the human rights activities of the United Nations, in which the Commission expressed its concern that, with the resources currently available from the United Nations regular budget, the High Commissioner would not be in a position to fulfil the full range of established and new mandates, and therefore appealed to the Secretary-General, the Economic and Social Council and the General Assembly to take all necessary steps, without delay, to secure for the Office of the United Nations High Commissioner for Human Rights and for other relevant components of the Organization regular budget resources for the current and future bienniums that will be sufficient to permit the effective fulfilment of the responsibilities and mandates established by Member States and commensurate with the importance assigned in the Charter of the United Nations to the promotion and protection of human rights,

Recalling also Economic and Social Council decision 1998/275 of 30 July 1998, by which the Economic and Social Council, taking note of Commission on Human Rights



resolution 1998/83, approved the Commission's appeal to the Council, the Secretary-General and the General Assembly,

Taking note of other relevant resolutions and decisions of the Commission on Human Rights, the Economic and Social Council and the General Assembly containing requests and proposals concerning the regular budget for the human rights programme,

1. *Requests* the Secretary-General to take all necessary steps, without delay, to follow up Commission on Human Rights resolution 1998/83 and Economic and Social Council decision 1998/275, in particular in the preparation of the proposed programme budget for the biennium 2000–2001;

2. *Calls upon* competent intergovernmental bodies to take Commission on Human Rights resolution 1998/83 and Economic and Social Council decision 1998/275 fully into account, in particular in the consideration of the proposed programme budget for the biennium 2000–2001;

3. *Decides* to continue its consideration of this matter at its fifty-fourth session under the agenda item "Human rights questions".



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**Fifty-third session
Third Committee**

Agenda item 110 (b)

**Human rights questions, including alternative approaches for improving
the effective enjoyment of human rights and fundamental freedoms**

**Andorra, Argentina, Australia, Austria, Bangladesh, Belgium, Bosnia
and Herzegovina, Bulgaria, Canada, Central African Republic, Chile,
Côte d'Ivoire, Cyprus, Denmark, Fiji, Finland, France, Germany,
Greece, Ireland, Israel, Italy, Luxembourg, Monaco, Netherlands,
Norway, Republic of Korea, San Marino, Sierra Leone, Slovakia, Spain
and United Kingdom of Great Britain and Northern Ireland:
draft resolution**

Question of enforced or involuntary disappearances

The General Assembly,

Guided by the purposes and principles set forth in the Charter of the United Nations, the Universal Declaration of Human Rights,¹ the International Covenants on Human Rights² and the other relevant international human rights instruments,

Recalling its resolution 33/173 of 20 December 1978 concerning disappeared persons and its resolutions 46/125 of 17 December 1991, 49/193 of 23 December 1994 and 51/94 of 12 December 1996 on the question of enforced or involuntary disappearances,

Recalling also its resolution 47/133 of 18 December 1992 proclaiming the Declaration on the Protection of All Persons from Enforced Disappearance as a body of principles for all States,

Expressing concern that, according to the Working Group on Enforced or Involuntary Disappearances, the practice of a number of States can run counter to the Declaration,

Deeply concerned, in particular, by the intensification of enforced disappearances in various regions of the world and by the growing number of reports concerning the

¹ Resolution 217 A (III).

² Resolution 2200 A (XXI), annex.



harassment, ill-treatment and intimidation of witnesses of disappearances or relatives of persons who have disappeared,

Convinced that further efforts are needed to promote wider awareness of and respect for the Declaration, and taking note in this regard of the report of the Secretary-General,³

Bearing in mind Commission on Human Rights resolution 1998/40 of 17 April 1998,⁴

1. *Reaffirms* that any act of enforced disappearance is an offence to human dignity and a grave and flagrant violation of the human rights and fundamental freedoms proclaimed in the Universal Declaration of Human Rights¹ and reaffirmed and developed in other international instruments in this field, as well as a violation of the rules of international law;

2. *Reiterates its invitation* to all Governments to take appropriate legislative or other steps to prevent and suppress the practice of enforced disappearances, in keeping with the Declaration on the Protection of All Persons from Enforced Disappearance, and to take action to that end at the national and regional levels and in cooperation with the United Nations, including through technical assistance;

3. *Calls upon* Governments to take steps to ensure that, when a state of emergency is introduced, the protection of human rights is ensured, in particular as regards the prevention of enforced disappearances;

4. *Reminds* Governments of the need to ensure that their competent authorities conduct prompt and impartial inquiries in all circumstances, whenever there is a reason to believe that an enforced disappearance has occurred in territory under their jurisdiction, and that, if allegations are confirmed, perpetrators should be prosecuted;

5. *Once again urges* the Governments concerned to take steps to protect the families of disappeared persons against any intimidation or ill-treatment to which they might be subjected;

6. *Encourages* States, as some have already done, to provide concrete information on measures taken to give effect to the Declaration, as well as obstacles encountered;

7. *Requests* all States to consider the possibility of disseminating the text of the Declaration in their respective national languages and to facilitate its dissemination in local languages;

8. *Notes* the action taken by non-governmental organizations to encourage implementation of the Declaration, and invites them to continue to facilitate its dissemination and to contribute to the work of the Subcommission on Prevention of Discrimination and Protection of Minorities;

9. *Expresses its appreciation* to the Working Group on Enforced or Involuntary Disappearances for its humanitarian work;

10. *Requests* the Working Group, in the continued exercise of its mandate, to take into account the provisions of the Declaration and to modify its working methods, if necessary;

11. *Recalls* the importance of the Working Group, the primary role of which is, as described in its reports, to act as a channel of communication between the families of disappeared persons and the Government concerned, with a view to ensuring that sufficiently documented and clearly identified individual cases are investigated, and to ascertain whether

³ A/53/304.

⁴ See *Official Records of the Economic and Social Commission, 1998, Supplement No. 3 (E/1998/23)*.

such information falls under its mandate and contains the required elements, and invites the Group to continue to seek the views and comments of all concerned, including Member States, in preparing its report;

12. *Invites* the Working Group to identify obstacles to the realization of the provisions of the Declaration, to recommend ways of overcoming those obstacles and, in this regard, to continue a dialogue with Governments and relevant intergovernmental and non-governmental organizations;

13. *Further encourages* the Working Group to continue to consider the question of impunity, in close collaboration with the rapporteur appointed by the Subcommission and with due regard for relevant provisions of the Declaration;

14. *Requests* the Working Group to pay the utmost attention to cases of children subjected to enforced disappearance and children of disappeared persons and to cooperate closely with the Governments concerned to search for and identify those children;

15. *Appeals* to the Governments concerned, in particular those which have not yet replied to the communications transmitted by the Working Group, to cooperate fully with it and, in particular, to reply promptly to its requests for information so that, while respecting its working methods based on discretion, it may perform its strictly humanitarian role;

16. *Encourages* the Governments concerned to give serious consideration to inviting the Working Group to visit their countries so as to enable the Group to fulfil its mandate even more effectively;

17. *Expresses its profound thanks* to the many Governments that have cooperated with the Working Group and replied to its requests for information, and to the Governments that have invited the Group to visit their countries, asks them to give all necessary attention to the recommendations of the Group, and invites them to inform the Group of any action they take on those recommendations;

18. *Calls upon* the Commission on Human Rights to continue to study this question as a matter of priority and to take any steps it may deem necessary to the pursuit of the task of the Working Group and to the follow-up of its recommendations when it considers the report to be submitted by the Working Group to the Commission at its fifty-fifth session;

19. *Renews its requests* to the Secretary-General to continue to provide the Working Group with all facilities it requires to perform its functions, especially for carrying out missions and following them up;

20. *Requests* the Secretary-General to keep it informed of the steps he takes to secure the widespread dissemination and promotion of the Declaration;

21. *Also requests* the Secretary-General to submit to it at its fifty-fifth session a report on the steps taken to implement the present resolution;

22. *Decides* to consider the question of enforced disappearances, and in particular the implementation of the Declaration, at its fifty-fifth session under the sub-item entitled "Human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms".



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**Fifty-third session
Third Committee**

Agenda item 110 (c)

Human rights questions: human rights situations and reports of special rapporteurs and representatives

Argentina, Australia, Austria, Belgium, Bulgaria, Canada, Chile, Congo, Costa Rica, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Iceland, Ireland, Italy, Japan, Latvia, Lithuania, Luxembourg, Monaco, Netherlands, Norway, Romania, Slovakia, Slovenia, Spain, Sweden, United Kingdom of Great Britain and Northern Ireland and United States of America: draft resolution

The situation of human rights in the Democratic Republic of the Congo

The General Assembly,

Reaffirming that all Member States have an obligation to promote and protect human rights and fundamental freedoms, as stated in the Charter of the United Nations and as elaborated in the Universal Declaration of Human Rights,¹ the International Covenants on Human Rights² and other applicable human rights instruments,

Mindful that the Democratic Republic of the Congo is a party to the International Covenant on Civil and Political Rights, the International Covenant on Economic, Social and Cultural Rights and the International Convention on the Elimination of All Forms of Racial Discrimination,³ as well as to the African Charter on Human and Peoples' Rights,⁴

Recalling Commission on Human Rights resolution 1998/61 of 21 April 1998,

¹ Resolution 217 A (III).

² Resolution 2200 A (XXI), annex.

³ Resolution 2106 A (XX), annex.

⁴ United Nations, *Treaty Series*, vol. 1520, No. 26363.



Having considered the report of the Special Rapporteur of the Commission on Human Rights on the situation of human rights in the Democratic Republic of the Congo,⁵ and taking note of the report of the Secretary-General's Investigative Team,⁶

1. *Expresses its deep concern at the impact of the current conflict in the Democratic Republic of the Congo on the situation of human rights in that country and its adverse effects on the civilian population;*

2. *Takes note with appreciation of the report of the Special Rapporteur of the Commission on Human Rights on the situation of human rights in the Democratic Republic of the Congo;⁵*

3. *Expresses its deep concern at the deterioration of the situation of human rights in the Democratic Republic of the Congo, which has been aggravated by the ongoing conflict in the country and the continuing violations of human rights and international humanitarian law by the Government of the Democratic Republic of the Congo and other parties involved in the conflict, in particular cases of summary and arbitrary execution, disappearances, torture, beatings, arbitrary arrest and detention without trial, sexual violence against women and children and the use of child soldiers, as well as the incitement to hatred against specific ethnic groups and attacks against civilians because of their ethnic origin;*

4. *Urges all parties to the conflict to take the necessary measures to prevent all violations of human rights and international humanitarian law by forces under their command and to abstain from inciting ethnic hatred and from persecuting civilians on the grounds of nationality or ethnicity;*

5. *Calls upon the Government of the Democratic Republic of the Congo to comply with its freely undertaken obligations under international human rights instruments to which the Democratic Republic of the Congo is a party and to promote and protect human rights and fundamental freedoms;*

6. *Urges the Government of the Democratic Republic of the Congo to extend equal protection to all persons under its jurisdiction, regardless of their origin;*

7. *Calls upon the Government of the Democratic Republic of the Congo and other parties to the conflict to allow the International Committee of the Red Cross unhindered access to all persons detained within the territory of the Democratic Republic of the Congo;*

8. *Expresses its concern at severe restrictions on the work of non-governmental organizations and media personnel, including the banning of human rights organizations, and the harassment and detention of human rights defenders and journalists, and urges the authorities of the Democratic Republic of the Congo to address these concerns;*

9. *Recalls and welcomes the expressed commitment of the Government of the Democratic Republic of the Congo to a process of democratization, leading, through the establishment of democratic institutions and the holding of elections, to the creation of a State based on the rule of law and respect for human rights, including representative and accountable government, and calls upon the Government of the Democratic Republic of the Congo to create conditions that would allow for a democratization process that is genuine and inclusive and fully reflects the aspirations of the people of the country, in particular:*

- (a) *The early lifting of the ban on political parties and activities;*
- (b) *Guarantees for equal rights of all ethnic groups in the electoral process;*

⁵ E/CN.4/1998/65 and Corr.1.

⁶ S/1998/581, annex.

- (c) Freedom of association and assembly;
- (d) Freedom of opinion and expression, including access to State and independent media;
- (e) Freedom of movement within, as well as to and from, the country, including for representatives of political parties and non-governmental organizations;

10. *Welcomes* the establishment by the Government of the Democratic Republic of the Congo of the Constitutional Commission, inaugurated on 5 November 1997, and its elaboration of a new draft Constitution, and calls for a broad and sustained public debate on the principles of the new Constitution before the holding of a referendum;

11. *Also welcomes* the expressed commitment by the Government of the Democratic Republic of the Congo to reform and restore the efficacy of the judicial system, and calls upon the Government to take all necessary measures in this regard;

12. *Recalls* the report of the Secretary-General's Investigative Team charged with investigating serious violations of human rights and international humanitarian law in the Democratic Republic of the Congo,⁶ and calls upon the Government of the Democratic Republic of the Congo and the Government of Rwanda to investigate, without delay, the allegations contained in the report of the Investigative Team and to bring to justice any persons found to have been involved in massacres, atrocities or other violations of international humanitarian law;

13. *Deplores* the failure of the Government of the Democratic Republic of the Congo to cooperate with the Special Rapporteur, and urges the Government to allow the Special Rapporteur to visit the country;

14. *Welcomes* the activities of the Human Rights Field Office in the Democratic Republic of the Congo and requests the Government of the Democratic Republic of the Congo to extend full cooperation to its operations;

15. *Calls upon* the international community to provide assistance in the field of human rights, in particular to the Human Rights Field Office with a view to reinforcing its capacity to continue to monitor and report on the human rights situation throughout the Democratic Republic of the Congo, to support the efforts of the Government of the Democratic Republic of the Congo towards strengthening the rule of law and the administration of justice, and to provide the necessary assistance with respect to building national capacity, especially to support and strengthen non-governmental human rights organizations;

16. *Underlines* the need to take human rights considerations fully into account in any settlement of the conflict and in any planning for an international peacekeeping or peace-building presence in the country;

17. *Invites* the Special Rapporteur of the Commission on Human Rights on contemporary forms of racism, racial discrimination, xenophobia and related intolerance to investigate reports and allegations of hate propaganda and policies of ethnic hatred in the Democratic Republic of the Congo and to include relevant information in his report to the Commission on Human Rights at its fifty-fifth session;

18. *Decides* to continue to examine the situation of human rights in the Democratic Republic of the Congo, and requests the Special Rapporteur on the situation of human rights in the Democratic Republic of the Congo to report to the General Assembly at its fifty-fourth session.



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Agenda item 110 (b)

Human rights questions: human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms

Albania, Azerbaijan, Bangladesh, Bosnia and Herzegovina, Costa Rica, Ecuador, Georgia, Guatemala, Israel, Kazakhstan, Kyrgyzstan, Morocco, Peru, Republic of Korea, Turkey, Turkmenistan and Uruguay: draft resolution

Follow-up to the United Nations Year for Tolerance

The General Assembly,

Recalling its resolutions 47/124 of 18 December 1992, 48/126 of 20 December 1993, 49/213 of 23 December 1994 and 51/95 of 12 December 1996,

Recalling also that the Charter of the United Nations affirms in its preamble that to practice tolerance is one of the principles to be applied to attain the ends pursued by the United Nations of preventing war and maintaining peace,

Stressing that one of the purposes of the United Nations, as set forth in the Charter, is the achievement of international cooperation in solving international problems of an economic, social, cultural or humanitarian character and in promoting and encouraging respect for human rights and for fundamental freedoms for all without distinction as to race, sex, language or religion,

Bearing in mind the Universal Declaration of Human Rights,¹ the Vienna Declaration and Programme of Action, adopted by the World Conference on Human Rights on 25 June 1993,² and the International Covenants on human rights,³

Reconfirming that tolerance is the sound foundation of any civil society and of peace,

¹ Resolution 217 A (III).

² A/CONF.157/24 (Part I), chap. III.

³ Resolution 2200 A (XXI), annex.



Taking note of the note by the Secretary-General⁴ transmitting the report of the Director-General of the United Nations Educational, Scientific and Cultural Organization on the implementation of the Declaration of Principles on Tolerance and the Follow-up Plan of Action for the United Nations Year for Tolerance, submitted pursuant to General Assembly resolution 51/95,

1. *Welcomes* the role played by the United Nations Educational, Scientific and Cultural Organization in the implementation of the Follow-up Plan of Action for the United Nations Year for Tolerance;

2. *Expresses its appreciation* for the contribution of several Member States to the realization of projects and activities aimed at the promotion of tolerance and non-violence, especially by means of education;

3. *Invites* the United Nations Educational, Scientific and Cultural Organization to consider extending the material and moral support necessary for the functioning and enlargement of the existing regional networks of tolerance, non-violence and solidarity in the Mediterranean and Black Sea Basin, Asia and the Pacific, Africa and Latin America;

4. *Also invites* the United Nations Educational, Scientific and Cultural Organization to consider the possibility of creating institutional networks of tolerance, non-violence and solidarity in other regions and subregions;

5. *Welcomes* the translation and dissemination of the Declaration of Principles on Tolerance in many languages;

6. *Welcomes equally* the experience gained during the celebration in 1996 and 1997 of the International Day for Tolerance and invites Member States and competent intergovernmental and non-governmental organizations to continue to contribute to the celebration of the International Day by means of educational activities and public information campaigns aimed at the realization of more tolerant societies;

7. *Invites* Member States to continue their efforts to achieve a wider application of the Declaration of Principles on Tolerance;

8. *Requests* the United Nations Educational, Scientific and Cultural Organization to continue to be the lead United Nations agency in the promotion of tolerance and non-violence;

9. *Also requests* the United Nations Educational, Scientific and Cultural Organization to include in its report on a culture of peace, to be submitted to the Millennium Assembly, information on the progress made in the implementation of the Follow-up Plan of Action for the United Nations Year for Tolerance.

⁴ A/53/284.



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Agenda item 110 (b)

Human rights questions: human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms

Andorra, Antigua and Barbuda, Armenia, Azerbaijan, Bahrain, Bangladesh, Barbados, Benin, Bosnia and Herzegovina, Bulgaria, Burkina Faso, Cameroon, Cape Verde, Central African Republic, Chad, Chile, Congo, Côte d'Ivoire, Cuba, Cyprus, Democratic Republic of the Congo, Dominican Republic, Ethiopia, Fiji, France, Gabon, Georgia, Greece, Guatemala, Guinea, Guinea-Bissau, Guyana, Hungary, India, Indonesia, Ireland, Italy, Japan, Kazakhstan, Lao People's Democratic Republic, Lebanon, Lithuania, Madagascar, Mali, Mauritania, Monaco, Morocco, Myanmar, Niger, Pakistan, Paraguay, Peru, Philippines, Poland, Portugal, Republic of Moldova, Romania, Russian Federation, San Marino, Senegal, Spain, the former Yugoslav Republic of Macedonia, Togo, Turkmenistan, Uruguay, Uzbekistan and Venezuela: draft resolution

The human genome and human rights

The General Assembly,

Guided by the purposes and principles set forth in the Charter of the United Nations, the Universal Declaration of Human Rights,¹ the International Covenants on Human Rights² and the other pertinent international instruments relating to human rights,

¹ Resolution 217 A (III).

² Resolution 2200 A (XXI), annex.



Recalling resolutions 1993/91 of 10 March 1993³ and 1997/71 of 16 April 1997⁴ adopted by the Commission on Human Rights on the question of human rights and bioethics,

Recalling that, in accordance with the Universal Declaration of Human Rights, recognition of the inherent dignity and of the equal and inalienable rights of all members of the human family is the foundation of freedom, justice and peace in the world,

Aware of the rapid development of the life sciences and of ethical concerns raised by certain of their applications with regard to the dignity of the human race and the rights and freedoms of the individual,

Seeking to promote scientific and technical progress in the fields of biology and genetics in a manner respectful of fundamental rights and for the benefit of all,

Emphasizing, in this regard, the importance of international cooperation in order to ensure that mankind as a whole benefits from the life sciences, while seeking to prevent them from being used for any purpose other than the good of mankind,

Recalling the Universal Declaration on the Human Genome and Human Rights⁵ and the accompanying resolution on the Implementation of the Universal Declaration on the Human Genome and Human Rights,⁶ both adopted by the General Conference of the United Nations Educational, Scientific and Cultural Organization at its twenty-ninth session,

Recognizing the importance of the process of follow-up to the Universal Declaration on the Human Genome and Human Rights within the framework of the United Nations Educational, Scientific and Cultural Organization,

Convinced of the need to develop a life sciences ethic at the national and international levels,

Endorses the Universal Declaration on the Human Genome and Human Rights adopted by the United Nations Educational, Scientific and Cultural Organization on 11 November 1997.

³ See *Official Records of the Economic and Social Council, 1993, Supplement No. 3* and corrigenda (E/1993/23 and Corr 2 and 4), chap. II, sect. A.

⁴ *Ibid.*, 1997, *Supplement No. 3* (E/1997/23), chap. II, sect. A.

⁵ United Nations Educational, Scientific and Cultural Organization, *Records of the General Conference, twenty-ninth session*, vol. I, *Resolutions*, resolution 16.

⁶ *Ibid.*, resolution 17.



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Agenda item 110 (b)

Human rights questions: human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms

Australia, Bangladesh, Belarus, Bolivia, Canada, Chile, Costa Rica, Ecuador, Ethiopia, Greece, Guatemala, Israel, Italy, Japan, Lesotho, Liberia, Mali, Mongolia, Morocco, Mozambique, Namibia, the Netherlands, Nigeria, Panama, Paraguay, the Republic of Korea, Slovenia, Solomon Islands, South Africa, the former Yugoslav Republic of Macedonia, United States of America and Zimbabwe: draft resolution

**United Nations Decade for Human Rights Education,
1995–2004, and public information activities in the field of
human rights**

The General Assembly,

Guided by the fundamental and universal principles enshrined in the Charter of the United Nations and the Universal Declaration of Human Rights,¹ article 26 of which states that “education shall be directed to the full development of the human personality and to the strengthening of respect for human rights and fundamental freedoms”, and the provisions of other international human rights instruments, such as those of article 13 of the International Covenant on Economic, Social and Cultural Rights,² article 10 of the Convention on the Elimination of All Forms of Discrimination against Women,³ article 7 of the International Convention on the Elimination of All Forms of Racial Discrimination,⁴

¹ Resolution 217 A (III).

² See resolution 2200 A (XXI), annex.

³ Resolution 34/180, annex.

⁴ Resolution 2106 A (XX), annex.



article 29 of the Convention on the Rights of the Child,⁵ article 10 of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment,⁶ and paragraphs 78 to 82 of the Vienna Declaration and Programme of Action adopted by the World Conference on Human Rights on 25 June 1993,⁷ which reflect the aims of the aforementioned article,

Recalling the relevant resolutions adopted by the General Assembly and the Commission on Human Rights concerning the United Nations Decade for Human Rights Education, 1995–2004, public information activities in the field of human rights, including the World Public Information Campaign on Human Rights, the project of the United Nations Educational, Scientific and Cultural Organization entitled “Towards a culture of peace”, the implementation of and follow-up to the Vienna Declaration and Programme of Action, and the commemoration of the fiftieth anniversary of the Universal Declaration of Human Rights,

Believing that the World Public Information Campaign on Human Rights is a valuable complement to the activities of the United Nations aimed at the further promotion and protection of human rights, and recalling the importance attached by the World Conference on Human Rights to human rights education and information,

Convinced that each woman, man, **youth** and child, in order to realize their full human potential, must be made aware of all their human rights and fundamental freedoms,

Convinced also that human rights education should involve more than the provision of information and should constitute a comprehensive lifelong process by which people at all levels of development and in all societies learn respect for the dignity of others and the means and methods of ensuring that respect,

Recognizing that human rights education and information are essential to the realization of human rights and fundamental freedoms and that carefully designed programmes of training, dissemination and information can have a catalytic effect on national, regional and international initiatives to promote and protect human rights and prevent human rights violations,

Convinced that human rights education and information contribute to a **holistic** concept of development consistent with the dignity of women and men of all ages that takes into account particularly vulnerable segments of society such as children, youth, older persons, indigenous people, minorities, rural and urban poor, migrant workers, refugees, persons with the human immunodeficiency virus/acquired immunodeficiency syndrome infection and disabled persons,

Taking into account the efforts to promote human rights education made by educators and non-governmental organizations in all parts of the world, as well as by intergovernmental organizations, including the Office of the United Nations High Commissioner for Human Rights, the United Nations Educational, Scientific and Cultural Organization, the International Labour Organization, the United Nations Children's Fund **and the United Nations Development Programme,**

Recognizing the invaluable and creative role that non-governmental and community-based organizations can play in disseminating public information and engaging in human rights education, especially at the grass-roots level and in remote and rural communities,

⁵ Resolution 44/25, annex.

⁶ Resolution 39/46, annex.

⁷ A/CONF.157/24 (Part I), chap. III.

Aware of the potential supportive role of the private sector in implementing at all levels of society the Plan of Action for the United Nations Decade for Human Rights Education, 1995–2004,⁸ and the World Public Information Campaign on Human Rights, through creative initiatives and financial support for governmental and non-governmental activities,

Convinced that the effectiveness of existing human rights education and public information activities would be enhanced by better coordination and cooperation at the national, regional and international levels,

Recalling that it is within the responsibility of the United Nations High Commissioner for Human Rights to coordinate relevant United Nations education and public information programmes in the field of human rights,

Considering that the commemoration of the fiftieth anniversary of the Universal Declaration of Human Rights in 1998 constituted an invaluable opportunity for all members of the international community to enhance human rights education and information activities throughout the world,

Welcoming the decision of the Subcommission on Prevention of Discrimination and Protection of Minorities of the Commission on Human Rights to place the question of the right to education, and in particular human rights education, on its agenda for the duration of the Decade,

Taking note with appreciation of the increased efforts undertaken so far by the Office of the United Nations High Commissioner for Human Rights to disseminate human rights information through its Web site⁹ and its publications and external relations programmes,

Welcoming the initiative of the Office of the United Nations High Commissioner for Human Rights to develop the project “Assisting Communities Together”, supported by voluntary funds and designed to provide small grants to grass-roots and local organizations carrying out practical human rights activities,

Welcoming the initiative of the Department of Public Information of the Secretariat to disseminate human rights information through the United Nations project “CyberSchoolBus”, an Internet-based educational service that provides an interactive Web site for secondary schools,

1. *Takes note with appreciation* of the report of the Secretary-General¹⁰ on the United Nations Decade for Human Rights Education, 1995–2004, and public information activities in the field of human rights, including the World Public Information Campaign on Human Rights;

2. *Welcomes* the steps taken by Governments and intergovernmental and non-governmental organizations to implement the Plan of Action for the United Nations Decade for Human Rights Education and to develop public information activities in the field of human rights, as indicated in the report of the Secretary-General;

3. *Urges* all Governments to contribute further to the implementation of the Plan of Action, in particular by establishing, in accordance with national conditions, broadly representative national committees for human rights education responsible for the development of comprehensive, effective and sustainable national plans of action for human rights education and information, taking into consideration the guidelines for national plans

⁸ A/51/506/Add.1, appendix.

⁹ <http://www.unhchr.ch>

¹⁰ A/53/313.

of action for human rights education developed by the Office of the United Nations High Commissioner for Human Rights¹¹ within the framework of the Decade;

4. *Urges* Governments to encourage, support and involve national and local non-governmental and community-based organizations in the implementation of their national plans of action;

5. *Calls upon* Governments, in accordance with their national conditions, to accord priority to the dissemination in their relevant national and local languages of the Universal Declaration of Human Rights, the International Covenants on Human Rights² and other human rights instruments, human rights materials and training manuals, as well as reports of States parties under the human rights treaties, and to provide information and education in those languages on the practical ways in which national and international institutions and procedures may be utilized to ensure the effective implementation of those instruments;

6. *Requests* the United Nations High Commissioner for Human Rights to continue to coordinate and harmonize human rights education and information strategies within the United Nations system, including the implementation of the Plan of Action, and to ensure maximum effectiveness and efficiency in the use, processing, management and distribution of human rights information and educational materials, including through electronic means;

7. *Encourages* Governments to contribute to the further development of the Web site of the Office of the United Nations High Commissioner for Human Rights, in particular with respect to the dissemination of human rights education materials and tools, and to continue and expand the publications and external relations programmes of the Office;

8. *Encourages* the Office of the High Commissioner to continue to support national capacities for human rights education and information through its technical cooperation programme in the field of human rights, including the organization of training courses and the development of targeted training materials for professional audiences, as well as the dissemination of human rights information materials as components of technical cooperation projects;

9. *Urges* the Department of Public Information to continue to utilize United Nations information centres for the timely dissemination, within their designated areas of activity, of basic information, reference and audio-visual materials on human rights and fundamental freedoms, including the reports of States parties under human rights instruments, and, to this end, to ensure that the information centres are supplied with adequate quantities of those materials;

10. *Stresses* the need for close collaboration between the Office of the High Commissioner and the Department of Public Information in the implementation of the Plan of Action and the World Public Information Campaign on Human Rights and the need to harmonize their activities with those of other international organizations such as the United Nations Educational, Scientific and Cultural Organization with regard to its project entitled "Towards a culture of peace" and the International Committee of the Red Cross and relevant non-governmental organizations with regard to the dissemination of information on international humanitarian law;

11. *Invites* the specialized agencies and relevant United Nations programmes and funds to contribute, within their respective spheres of competence, to the implementation of the Plan of Action and the World Public Information Campaign on Human Rights and to cooperate closely with the Office of the High Commissioner in that regard;

¹¹ A/52/469/Add. I and Add. I/Corr. I.

12. *Encourages* the human rights treaty bodies to place emphasis, when examining reports of States parties, on obligations of States parties in the area of human rights education and information and to reflect this emphasis in their concluding observations;

13. *Calls upon* international, regional and national non-governmental organizations and intergovernmental organizations, in particular those concerned with women, labour, development, food, housing, education, health care and the environment, as well as all other social justice groups, human rights advocates, educators, religious organizations and the media, to undertake specific activities of formal, non-formal and informal education, including cultural events, alone and in cooperation with the Office of the High Commissioner, in implementing the Plan of Action;

14. *Urges* Governments and intergovernmental and non-governmental organizations to continue the human rights education and public information work undertaken in the context of the commemoration of the fiftieth anniversary of the Universal Declaration of Human Rights, such as the development of materials, the elaboration of programmes and the establishment of networks, beyond 10 December 1998, as called for by the Commission on Human Rights in paragraph 11 of its resolution 1998/45 of 17 April 1998;

15. *Encourages* the Commission on Human Rights to consider jointly, for the duration of the Decade, the question of the United Nations Decade for Human Rights Education, 1995-2004, and public information activities in the field of human rights, including the World Public Information Campaign on Human Rights;

16. *Encourages* the Office of the High Commissioner to continue considering ways and means to support human rights education activities, including those undertaken by non-governmental organizations;

17. *Requests* the Secretary-General, through the United Nations High Commissioner for Human Rights, to bring the present resolution to the attention of all members of the international community and of intergovernmental and non-governmental organizations concerned with human rights education and public information, and to submit to the General Assembly at its fifty-fourth session a comprehensive report on the implementation of the present resolution for consideration under the item entitled "Human rights questions".

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Agenda item 110 (c)

Human rights questions: human rights situations and reports of special rapporteurs and representatives

Draft resolution submitted by the Chairman of the Committee on the basis of informal consultations

Situation of human rights in Nigeria

The General Assembly,

Reaffirming that all Member States have an obligation to promote and protect human rights and fundamental freedoms, as stated in the Charter of the United Nations and as elaborated in the Universal Declaration of Human Rights,¹ the International Covenants on Human Rights² and other applicable human rights instruments,

Recalling that Nigeria is a party to the International Covenants on Human Rights, the International Convention on the Elimination of All Forms of Racial Discrimination,³ the Convention on the Elimination of Discrimination against Women⁴ and the Convention on the Rights of the Child,⁵ as well as the African Charter on Human and People's Rights,

Recalling previous resolutions of the General Assembly and the Commission on Human Rights on the situation of human rights in Nigeria,

Welcoming the positive contribution which Nigeria has been making through the Economic Community of West African States in support of democratic governance within the West African region,

Noting the encouraging positive steps taken by the Government of Nigeria, which deserve full support and have been welcomed by the people of Nigeria as well as the international community, including the Commonwealth and the European Union,

¹ Resolution 217 A (III).

² Resolution 2200 A (XXI), annex.

³ Resolution 2106 A (XX), annex.

⁴ Resolution 34/180, annex.

⁵ Resolution 44/25, annex.



1. *Takes note with appreciation* of the interim report of the Special Rapporteur on the situation of human rights in Nigeria;⁶
2. *Welcomes* the announcement by General Abdulsalami Abubakar of a new programme of transition to civilian rule and notes with satisfaction the commitment of the Government of Nigeria to fully restore democracy, the rule of law and respect for human rights;
3. *Takes note with satisfaction* of the concrete steps taken to date to implement the transitional programme and looks forward to further measures in this regard;
4. *Expresses its full support* to the Government of Nigeria in the important process of building a peaceful and stable Nigeria rooted in the rule of law, democracy and respect for human rights;
5. *Welcomes* the fact that the Government of Nigeria is reviewing the remaining decrees and urges it to repeal urgently those which have an impact on the fundamental human rights of its citizens;
6. *Encourages* all sectors of Nigerian society to participate actively and constructively in the process of democratization and the re-establishment of civilian rule;
7. *Notes with satisfaction* the establishment of the Independent National Electoral Commission and the issuance of a detailed timetable for the election process, to be completed with the holding of presidential elections on 27 February 1999 and the handling over to a civilian government on 29 May 1999;
8. *Welcomes* the invitations extended by the Government of Nigeria to the United Nations, the Organization of African Unity, the Commonwealth and the European Union to provide electoral assistance and to observe the elections at all levels in order to ensure the credibility of the electoral process;
9. *Welcomes* the declared commitment of the Government of Nigeria to protect freedom of expression, in particular freedom of the press, and notes with interest the first steps taken to reform laws governing the media;
10. *Welcomes* the release of political prisoners, including the twenty detainees from Ogoni and expresses the hope for swift clarification of remaining pending cases;
11. *Stresses* that the establishment and strengthening of national structures and institutions in the field of human rights are of utmost importance for the promotion and protection of human rights in Nigeria;
12. *Commends* the National Human Rights Commission of Nigeria for its important work and encourages the Government of Nigeria to provide the Commission with adequate resources and to fully respect its independence;
13. *Calls upon* all States and the organizations of the United Nations system to support generously the ongoing transitional process in Nigeria, in particular the electoral process and the strengthening of national capacity in the field of human rights, and to respond positively to requests for technical assistance and advisory services;
14. *Welcomes* the decision of the European Union, the Commonwealth and the Government of the United States of America to start lifting sanctions on Nigeria in the light of the progress made towards the restoration of democratic government and respect for human rights;

⁶ A/53/366, annex.

15. *Calls upon* the Government of Nigeria to abide by its freely undertaken obligations under the International Covenants on Human Rights and other human rights instruments in the implementation of the transitional programme and beyond;

16. *Calls upon* the Government of Nigeria to follow up the recommendations contained in the interim report of the Special Rapporteur;

17. *Welcomes* the invitation extended to the Special Rapporteur of the Commission on Human Rights on the situation of human rights in Nigeria to visit the country;

18. *Decides* to continue its consideration of the situation of human rights in Nigeria with a view to concluding it at its fifty-fourth session in the light of further developments and relevant decisions of the Commission on Human Rights at its fifty-fifth session.



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Agenda item 105

**Report of the United Nations High Commissioner for Refugees:
questions relating to refugees and displaced persons and
humanitarian questions**

**Armenia, Austria, Belarus, Belgium, Canada, Denmark, Finland,
France, Georgia, Germany, Greece, Hungary, Ireland, Italy, Japan,
Kyrgyzstan, Luxembourg, Netherlands, Norway, Portugal, Russian
Federation, Spain, Sweden, Tajikistan, Turkmenistan, United Kingdom
of Great Britain and Northern Ireland and United States of America:
draft resolution**

**Follow-up to the Regional Conference to Address the
Problems of Refugees, Displaced Persons, Other Forms of
Involuntary Displacement and Returnees in the Countries of
the Commonwealth of Independent States and Relevant
Neighbouring States**

The General Assembly,

*Recalling its resolutions 48/113 of 20 December 1993, 49/173 of 23 December 1994,
50/151 of 21 December 1995, 51/70 of 12 December 1996 and, in particular, 52/102 of
12 December 1997,*

*Having considered the report of the Secretary-General¹ and that of the United Nations
High Commissioner for Refugees,²*

*Recognizing the ongoing acuteness of the migration and displacement problems in
the countries of the Commonwealth of Independent States and the necessity to follow up
the Regional Conference to Address the Problems of Refugees, Displaced Persons, Other
Forms of Involuntary Displacement and Returnees in the Countries of the Commonwealth*

¹ A/53/413

² *Official Records of the General Assembly, Fifty-third Session, Supplement No. 12 (A/53/12)*



of Independent States and Relevant Neighbouring States and the succeeding conclusions of the Executive Committee of the Office of the United Nations High Commissioner for Refugees,³

Reaffirming the view of the Conference that the primary responsibility for tackling population displacement problems lies with the affected countries themselves and that these issues are to be regarded as national priorities, while at the same time recognizing the need for enhancing international support for the national efforts of the countries of the Commonwealth of Independent States aiming at the effective implementation of such responsibilities within the framework of the Programme of Action of the Conference,

Noting with satisfaction the efforts of the Office of the United Nations High Commissioner for Refugees, the International Organization for Migration and the Organization for Security and Cooperation in Europe towards developing strategies and practical tools for more effective capacity-building in countries of origin and enhancing programmes to address the needs of various categories of concern to the countries of the Commonwealth of Independent States,

Welcoming the contributions of those countries that responded to the 1998 appeal launched by the Office of the United Nations High Commissioner for Refugees and the International Organization for Migration, and appreciating this tangible encouragement to the countries of the Commonwealth of Independent States as well as to further inter-agency cooperation,

Taking note of positive results emanating from the implementation of the Programme of Action of the Conference,

Convinced of the necessity for further strengthening practical measures for the achievement of effective implementation of the Programme of Action,

Recalling that the protection and promotion of human rights and the strengthening of democratic institutions are essential to prevent mass population displacement,

Mindful that effective implementation of the recommendations contained in the Programme of Action should be facilitated and can be ensured only through cooperation and coordinated activities undertaken in this respect by all interested States, intergovernmental and non-governmental organizations and other actors,

Noting and reaffirming the importance of the 1951 Convention⁴ and the 1967 Protocol⁵ relating to the Status of Refugees,

1. *Takes note* of the report of the Secretary-General¹ and the report of the Office of the United Nations High Commissioner for Refugees;²

2. *Calls upon* Governments of the countries of the Commonwealth of Independent States, in cooperation with the Office of the United Nations High Commissioner for Refugees, the International Organization for Migration and the Organization for Security and Cooperation in Europe to strengthen their efforts and mutual cooperation relating to the follow-up to the Conference, and welcomes the positive results achieved by them in the implementation of the Programme of Action of the Conference;

³ *Ibid.*, Supplement No. 12A (A/53/12/Add.1).

⁴ United Nations, *Treaty Series*, vol. 189, No. 2545.

⁵ *Ibid.*, vol. 606, No. 8791.

3. *Invites* all countries that have not yet done so to accede to and implement fully the 1951 Convention and the 1967 Protocol relating to the Status of Refugees, while welcoming the accession of Turkmenistan to the Convention;
4. *Calls upon* States and interested international organizations, in a spirit of solidarity and burden-sharing, to provide appropriate forms and levels of support for the practical implementation of the Programme of Action;
5. *Invites* international financial and other institutions to contribute to the financing of projects and programmes within the framework of the implementation of the Programme of Action;
6. *Invites* the countries of the Commonwealth of Independent States to intensify bilateral and subregional cooperation in maintaining the balance of commitments and interests in the process leading up to the implementation of the Programme of Action;
7. *Calls upon* the Governments of the countries of the Commonwealth of Independent States to continue to strengthen their commitment to the principles underpinning the Programme of Action, in particular human rights and refugee protection principles, and to lend high-level political support to ensure progress in its implementation;
8. *Invites* the Office of the United Nations High Commissioner for Refugees and the International Organization for Migration to enhance their mutual relationship with other key international actors, such as the Council of Europe, the European Commission and human rights, development and financial institutions, in order to better address the wide-ranging and complex issues in the Programme of Action;
9. *Welcomes* the process made in building civil society, in particular through the development of the non-governmental sector, the development of cooperation between non-governmental organizations and the Governments of a number of countries of the Commonwealth of Independent States, and notes in this regard the relationship between the progress made in implementing the Programme of Action and the success in promoting civil society, especially in the field of human rights;
10. *Encourages* the involvement of intergovernmental and non-governmental organizations in the follow-up to the Conference, and invites them to demonstrate stronger support for the process of the multinational constructive dialogue among a wide range of countries concerned and further action with a view to the full implementation of the recommendations of the Conference;
11. *Emphasizes* the necessity of fulfilling the recommendations of the Programme of Action relating to ensuring respect for human rights as an important factor in the management of migration flows, the consolidation of democracy, the rule of law and stability;
12. *Recognizes* the importance of undertaking measures, on the basis of strict adherence to all of the principles of international law, including humanitarian law and international human rights standards, to prevent situations leading to new flows of refugees, displaced persons and other forms of involuntary displacement;
13. *Requests* the Secretary-General to report to the General Assembly at its fifty-fourth session on the progress achieved in the implementation of the Programme of Action;
14. *Decides* to continue examination of the question at its fifty-fourth session under the appropriate agenda item.